



Order Filed on March 13, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

MILSTEAD & ASSOCIATES, LLC

By: Andrew M. Lubin

Atty. ID: AL0814

1 E. Stow Road

Marlton, NJ 08053

(856) 482-1400

File No. 224956-1

Attorneys for Movant: New Penn Financial LLC
d/b/a Shellpoint Mortgage Servicing

In Re:

Martin R. Taylor aka Marty R. Taylor and Christa N.
Taylor

Case No.: 17-24222-ABA
Chapter 13


Hearing Date: February 6, 2018
Time: 10:00 AM

Judge: Andrew B. Altenburg, Jr.

**ORDER RESOLVING
MOTION FOR RELIEF FROM AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: March 13, 2018



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Upon the motion of Milstead & Associates, LLC, Attorneys for the Secured Creditor, New Penn Financial LLC d/b/a Shellpoint Mortgage Servicing (“Mortgagee”), under Bankruptcy Code section 362(d) for relief from the Automatic Stay as to certain real property as set forth in the motion papers and the parties, having been represented by their respective counsel, Richard S. Hoffman, Jr., Esquire for Debtors, and for good cause shown, it is ORDERED as follows:

1. The automatic stay as provided for by 11 U.S.C. §362 shall remain in full force and effect conditioned upon the terms and conditions set forth herein.

2. Mortgagee is the holder of a mortgage which is a lien on real property owned by Debtors known as and located at 413 Deptford Rd, Glassboro, NJ 08028 (the “Property”).

3. The parties certify that there is a post-petition delinquency which is to be cured pursuant to the terms of this Order, said delinquency consisting of the following:

4 Payments: 11/1/2017 – 2/1/2018 @ \$1,361.44	\$5,445.76
Suspense Balance	(\$415.68)
Total Post-Petition Arrears	\$5,030.08

4. Commencing on March 1, 2018, Debtors shall resume making regular monthly mortgage payments currently in the amount of \$1,361.44, and will pay late charges if applicable.

5. The total post-petition arrears in the amount of \$5,030.08 shall be capitalized into and paid through the Debtors’ Chapter 13 Plan. Debtors shall file a modified plan addressing the capitalized amount within 30 days of the entry of the Order.

6. Debtors shall reimburse the Movant through their Chapter 13 Plan as an administrative claim, the sum of \$531.00 for attorney’s fees and costs incurred by Movant in the prosecution of its application for relief from stay.

7. Should Debtors' regular monthly payment amount change, Debtors shall be notified of such change by Mortgagee, and the monthly payment amount due under the terms of this Order shall change accordingly.

8. In the event that Debtors are in default pursuant to the terms and conditions of this Order for a period of thirty (30) days, or if any of the funds paid fail to clear for insufficient funds or are dishonored for any reason, Secured Creditor may send Debtor and Debtor's Counsel a written notice of default of this Order. If the default is not cured within ten days of the date of such notice, Mortgagee may obtain an Order Vacating the Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating any such payment(s) more than thirty (30) days in default. In the event that a notice of default is forwarded, it is agreed that Secured Creditor may file a Certification of Default absent a full cure.

9. A copy of any Certification of Default and the proposed order must be served upon the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court. A certificate of service shall be filed by counsel for Mortgagee evidencing same.

10. In the event the instant bankruptcy case is converted to a case under Chapter 7, Debtors shall cure the pre-petition and post-petition mortgage arrears within ten (10) days from the date of such conversion. Should Debtors fail to cure said arrears within the ten (10) day period, such failure shall be deemed a default under the terms of this stipulation and Mortgagee may send Debtors and Debtors' counsel a written notice of default. If the default is not cured within ten (10) days from the date of said notice, counsel for Mortgagee may file a Certification of Default with the Court, upon notice to the trustee, Debtors, and Debtors' counsel, and the Court shall enter an Order granting relief from the Automatic Stay as to the Property.